

****E-filed 3/5/12****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TRIA BEAUTY, INC.,

No. C 10-5030 RS

Plaintiff,

**ORDER DENYING SEALING
REQUEST**

v.

RADIANCY INC.,

Defendant.

Defendant Radiancy, Inc.'s seeks leave to file under seal to specific paragraphs of Exhibit 3 to the Declaration of Victoria L. Loughery, on grounds that those paragraphs describe and quote material that has been designated "Attorneys' Eyes Only" under the protective order in this case. The first paragraph at issue merely quotes a confidentiality provision in a document and identifies by name the third party making that confidentiality claim. The second paragraph describes in general terms testimony from deponents who essentially claimed not to have knowledge of particular topics. Even assuming the documents and deposition testimony referred to otherwise warrant confidentiality designations under the protective order, nothing in these paragraphs materially discloses sensitive information that would support filing them under seal. The sealing motion (Dkt. No. 105) is therefore denied. While scrupulous adherence to the terms of protective orders is always appropriate, the parties are encouraged to avoid the administrative costs and inconveniences to themselves and to the Court of filing sealing motions, by instead meeting and

1 conferring to reach agreement where possible that particular documents do not implicate
2 confidentiality issues.

3
4 IT IS SO ORDERED.

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6 Dated: 3/5/12



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE